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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,502	02/22/2002	Kimberlee A. Kemble	BOC9-2001-0017 (261)	1503
40987	7590	01/27/2006	EXAMINER	
AKERMAN SENTERFITT P. O. BOX 3188 WEST PALM BEACH, FL 33402-3188			DORVIL, RICHEMOND	
			ART UNIT	PAPER NUMBER
			2654	

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/081,502	KEMBLE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Abdelali Serrou	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 15 June 2005.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Rejections - 35 USC § 102***

2. Claims 1, 3, 6-12, 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by McAlister et al., Patent No. 6,421,672.

As per claims 1 and 10, McAllister et al. teach a method for disambiguating search results (see abstract) comprising:

retrieving multiple database entries (multiple listings, col. 2, line 42-51) responsive to a database search, wherein the retrieved database entries include a plurality of common data fields (primary key and secondary data fields, col. 2, lines 53 and 60; and col. 5, line 6).

processing the retrieved database entries (Fig 1, element 12) according to predetermined speech interface criteria (pronunciation rules, col. 5, line 23), said processing step including at least one processing task selected from a group consisting of determining whether data items within said common data fields are able to be accurately pronounced by a speech interface, excluding data fields of the retrieved database entries having common data items ..., (see col. 7, lines 46-63);

selecting at least one data field (location field, col. 3, line 45) from the plurality of common data fields for uniquely identifying each retrieved database entry;

and presenting, through the speech interface (speech signal), data items corresponding to the selected data field for each retrieved database entry (see col. 5, lines 49-54), wherein said speech interface is used in conjunction with a system in which said database search is performed (see Fig. 1, field 34a and col. 7, lines 63-67), and

wherein said speech interface provides users of said system with an interface for searching for information contained within a database in which said database search was conducted and with an interface for audibly receiving results of said database search, (see col. 9, lines 37-67).

As per claims 6 and 15, McAllister et al. teach a method for disambiguating search results (see abstract) comprising:

retrieving multiple database entries (multiple listings, col. 2, line 42-51) responsive to a database search, wherein the retrieved database entries include a plurality of common data fields (primary key and secondary data fields, col. 2, lines 53 and 60; and col. 5, line 6).

processing the retrieved database entries (Fig 1, element 12) according to predetermined speech interface criteria (pronunciation rules, col. 5, line 23), said processing step including at least one processing task selected from a group consisting of determining whether data items within said common data fields are able to be accurately pronounced by a speech interface, excluding data fields of the retrieved database entries having common data items ..., (see col. 7, lines 46-63);

selecting at least one data field (location field, col. 3, line 45) from the plurality of common data fields for uniquely identifying each retrieved database entry;

and querying as to which one of said common data fields, which uniquely identify each of said retrieved database entries, is to be used to disambiguate said retrieved database entries, ... (see col 3, lines 34-54 and Fig. 1).

As per claims 2, 9, 11, 18, McAllister et al. teach a method wherein said processing step comprises excluding, from said selecting step, data fields of said retrieved database entries having common data items, (see col. 2, lines 52-65).

As per claims 3, 7, 12, 16, McAllister et al. teach a method wherein the processing step further comprises:

detecting content within data fields of said retrieved database entries data items that are not able to accurately pronounced using the speech interface, (see Fig. 6, block "...listings with exceptional Pronunciations");

excluding from said selecting step data fields having content that is not able to be pronounced using the speech interface, ..., (see col. 4, lines 23-25, "... eliminate unlikely pronunciations.")

As per claims 8 and 17, McAllister et al. teach a method comprising:  
receiving a user input specifying a data item associated with said selected data filed to disambiguate said retrieved database entries, (see col. 3, lines 55-65);  
presenting through the speech interface, data items associated with said selected data field for each said retrieved database entry, wherein the presenting step audibly presents a list ..., (see col. 3, lines 55-65 and col. 3, line 66 to col. 4, line 21).

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3. Claims 4-5, 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over McAllister et al. in view of Gilai et al., U.S. Patent No. 6,256,630.

As per claim 4, McAllister et al. disclose all the limitations of claim 1, upon which claim 4 depends. McAllister et al. fail to explicitly teach “determining a data from said plurality of common data fields having data item with a smallest average length.” However, this feature is well known in the art as evidenced by Gilai et al. which disclose a database accessing system and method comprising the step of determining a data from said plurality of common data fields having data item with a smallest average length, (see col. 12, part b). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the determining step of Gilai et al. in the processing step of McAllister et al. because Gilai et al. teach one of ordinary skill in the art the benefit of determining data fields having data item with a small average length to improve the accuracy and efficiency of the retrieval process.

As per claim 5, McAllister et al. and Gilai et al. disclose all the limitations of claim 3, upon which claim 5 depends. Gilai et al further teach excluding data fields having data items that exceed a predetermined maximum threshold ..., (see col. 12, part c and col. 7, lines 55-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the similarity method of Gilai et al. (which meets the claimed limitation of “empirical analysis of relative ease”) to improve the accuracy and efficiency of the retrieval process.

As per claim 13, McAllister et al. disclose all the limitations of claim 12, upon which claim 13 depends. McAllister et al. fail to explicitly teach “determining a data from said plurality of common data fields having data item with a smallest average length.” However, this

feature is well known in the art as evidenced by Gilai et al. which disclose a database accessing system and method comprising the step of determining a data from said plurality of common data fields having data item with a smallest average length, (see col. 12, part b). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the determining step of Gilai et al. in the processing step of McAllister et al. because Gilai et al. teach one of ordinary skill in the art the benefit of determining data fields having data item with a small average length to improve the accuracy and efficiency of the retrieval process.

As per claim 14, McAllister et al. disclose all the limitations of claim 12, upon which claim 14 depends. McAllister et al. fail to explicitly teach excluding data fields having data items that exceed a predetermined maximum threshold ... However, this feature is well known in the art as evidenced by Gilai et al. which disclose a database accessing system and method comprising the step of excluding data fields having data items that exceed a predetermined maximum threshold ... (see col. 12, part c and col. 7, lines 55-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the similarity method of Gilai et al. (which meets the claimed limitation of "empirical analysis of relative ease") to improve the accuracy and efficiency of the retrieval process.

#### *Response to Arguments*

4. Applicant's arguments filed June 15, 2005 have been fully considered but they are not persuasive.

Applicants argued that McAllister "fails to provide any specific teaching regarding the manner in which secondary characteristics are to be processed relevant to one another". The

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examiner cannot concur because McAllister et al., col. 7 lines 36 to col. 8 lines 43, clearly states in which manner the secondary information are to be processed, for example to distinguish between multiple listings

Applicants argued that McAllister et al. fail "to provide specific teachings (other than rudimentary ones) regarding the presentation of item to the users". This is irrelevant because this argument is not directed to specific limitations in the claims. Further, McAlister et al. teach presenting the information to the user using, for example, WAV or MP3 file format.

Other arguments are moot in view of the new grounds of rejection and/or rationale.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelali Serrou whose telephone number is (571) 272-7638. The examiner can normally be reached on Monday Through Friday 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**RICHEMOND DORVIL**  
**SUPERVISORY PATENT EXAMINER**